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CONFIDENT OF BEATING THE STATEHOOD MEASURE WITH A GIANT TRUST EASTERN RAILROADS RECEIVE SHARP CRITICISM

Foraker Willing to Let The Bill Come Up Today For Consideration Commissioner Garfield Will Tell Startling Story In The Packers Case Various Congressmen Air Their Grievances In The House

WASHINGTON, D. C., Feb. 6.—Senator Beveridge expects that the statehood bill will begin the consideration of the statehood bill tomorrow. The date for a vote has not been agreed upon, but it now seems that no effort will be made to delay action on the measure. Senator Foraker, of Ohio, leader of the Republican opposition to the measure as it stands, is the one who might be expected to provoke delays, unless he felt sure that the bill could be passed in the particulars he desires. He has indicated a complete confidence that enough votes are available to carry his referendum amendment, allowing New Mexico and Arizona to vote separately on accepting joint statehood. His apparent willingness to allow the issue to come to a vote strengthens the belief that his confidence is well founded. Thirteen Republican votes and 32 Democratic votes will carry the Foraker amendment. Last week fourteen votes were definitely claimed on the Republican side in support of the amendment. Today the claim is advanced to 16. The senators now counted on are Flint and Perkins of California; Fulton of Oregon; Nixon of Nevada; Carter of Montana; Hepburn of Idaho; Clark of Wyoming; Hansbrough of North Dakota; Clapp of Minnesota; Elkins of West Virginia; Gallinger of New Hampshire; Alger and Burrows of Michigan; Burkett of Nebraska; Platt of New York; and Foraker of Ohio. The Foraker amendment would practically kill the Arizona-New Mexico section of the bill, as it is said positively that Arizona will never vote to accept union with New Mexico. Much speculation has been indulged in as to what the President's attitude is toward that amendment. It is known that he recently told White House callers that he hoped the statehood bill would pass without amendment. But he also gave ground for the impression that he considered statehood for Oklahoma and Indian Territory much more imperative than statehood for Arizona and New Mexico. It is construed that he has said just enough to contradict the rumor that he would veto any but the unamended two state bill.

By Clyde H. Tavenner. (Special correspondence to the Journal-Miner.) CHICAGO, Feb. 6.—In direct contrast to the general belief of the layman that the beef trust—dictator of the price of the world's meat supply—is on trial in the federal court in Chicago, the real facts are that the government itself is on trial. By a single masterly move the packers have turned and placed the government on trial instead of themselves. The legal arms of the beef combine have made charges against the legislature, against Federal Commissioner of Corporations James R. Garfield, against the United States attorney general himself. A jury has been selected out of a venire of one hundred and forty-eight northern Illinois farmers to try the government on these charges. If the jury decides the government to be guilty as charged the packers will go free. They will be liberated regardless of whether the federal district attorney has sufficient evidence to convict on charges of conspiracy to control the world's beef market. The beef trust attorneys have filed special pleas accusing the government of having promised their clients immunity if they would open their books and lead Mr. Garfield to discover whether or not there was a beef trust. Mr. Garfield is accused of having turned the evidence he secured from the packers into the grand jury's hands to be used in indicting the trust members. If the trust's charges are proven, the beef trust cannot be prosecuted even though it has violated the Sherman anti-trust law. The constitution provides that a man cannot be compelled to testify against himself. This is the exact status of the beef trust cases. It is not the construction given, however, either by the attorneys for the prosecution or defense, when I interviewed them on the subject. It is the legal construction as I found it, to exist by wading through a mass of legal documents and sitting through a day's session. A day's session of the beef trial occupies four hours, from 10 o'clock in the morning until 12, and from 2 o'clock in the afternoon until 4. Five minute adjournments are taken in the middle of each session. The fight is undoubtedly one of the greatest legal battles of its kind that ever occurred in the United States. Sixteen beef barons are struggling to escape the penalty of a year's imprisonment in jail. All are fabulously wealthy. They have ruled the railroads, mastered the markets, dominated the world of finance. Thirty-five lawyers are battling in the courtroom in a last stand to prevent their millionaire clients from being tried. These trust attorneys' combined salaries amount to \$7,000 a day, or \$2,500,000 a year if their services would be required that long. One attorney is arrayed against them in the courtroom in behalf of the government and the American people. His salary is \$5,000 a year. Two hundred of the foremost lawyers of the United States are aiding the counsel for the beef trust by advice and suggestion. Hordes of the Pinkertons are scouring the federal district to look up the records of the jurors in whose hands the beef trust's case is intrusted. The one government attorney is aided by one, sometimes two, and possibly three, advisory assistants. He has no Pinkertons. The only way he looked up the veniremen was by questioning them in the courtroom. In the many preliminaries of the case the government attorneys, United States District Attorney W. R. Morrison, and his assistants, Elwood Godman and Robert W. Childs, have shown themselves abundantly able to care for the people's interests. The only thing that may defeat a trial of the packers is the clever manner in which they placed the government on trial. The multi-millionaire beef barons will take the stand, it is said, and testify that Mr. Garfield did promise them immunity. The scene will be the most notable in the Chicago courts. The government has prepared a staggering defense to the charges made by the packers, according to District Attorney Morrison. He confidently expects that the jury will decide the special plea in favor of the government, and make it necessary for the beef trust to stand trial. It is promised that Mr. Garfield will furnish the surprise. The seal of silence will be removed from the commissioner's lips for the first time when he takes the stand, and he will lay bare all the inner details of the government's investigation of the \$2,000,000,000 combine. He will relate his conversations with the packers, his personal experiences at the stockyards, his private reports to President Roosevelt, and the momentous secret conferences at Washington which have led up to the criminal prosecution of the meat millionaires. Garfield will swear that the packers offered, even pleaded for the chance, to confess everything if he would let them swear to their testimony, and thus secure the protection of the immunity argument. The commissioner after reporting their desires to Washington and conferences with President Roosevelt, Secretary Cortelyou and Attorney-General Moody, who ordered that the packers be denied the privilege of making a confession. Garfield will allege specific instances in which the packers refused him information, giving as the reason that he declined to grant them the immunity of the oath. He will name the packers and attorneys present, and the dates of the negotiations touching upon immunity, and will produce telegrams on the subject sent to Washington and received by him. A. H. Veeder, the indicted general counsel of Swift & Co.; Alfred R. Union, of Armour and Co., and W. M. Borders of Morris and Co., will be named in the testimony as figuring in these conferences. The word of Garfield and his assistants will be measured by the jury against that of J. Ogden Armour, the other packers, their lawyers, and their immediate employees. The jury must decide who is telling the truth. On the point of law which has placed the government on the defensive, depends the whole fabric of President Roosevelt's prosecution of the trusts. This particular law point will not fade into history simply with the decision of the jury now assembled. If it is decided favorably to the packers, they will be dismissed, and that will probably end it. If it is decided against them, they will carry it to the supreme court, and, it is predicted, prolong a hearing of the main issues in the beef trust litigation for the far future.

WASHINGTON, Feb. 6.—Having fixed the end of the general debate on the railroad rate bill at 4:30 o'clock tomorrow, the recognition of the chair was passed around at a lively rate in the house today. The railroads came in for an unusual amount of criticism. Gillespie of Texas, expressed his dissatisfaction with the reply to his resolution hinting at a combination between the Pennsylvania and other railroads. He will address a request to the president to have the interstate commerce commission make a thorough investigation along the lines he will indicate to clear up the subject. Gaines of West Virginia placed on the records evidences of combinations of the roads to control the coal output in his state, and a traffic arrangement between many southern roads and steamship lines indicating a division of the territory to control the business. He said it was because competition had ceased already that the pending bill was demanded. The day ended with a general laugh at Sulzer of New York, who made his appearance as a humorist. He toasted the opponents of the bill, viewed with suspicion the unanimous report, and pointed out as "the African in the woodpile" the word "suspended," which he said would apply to every rate fixed until the poor shipper was financially suspended in trying to enforce it. However, he will vote for the bill.

PEACE ON EARTH TO MEN OF GOOD WILL

An Autograph Album Figures Quite Significantly At Algeciras

ALGECIRAS, Feb. 6.—Count Von Tattenbach, the German minister to Portugal, and the second of the delegates of Germany to the Moroccan conference, and Marquis Visconti Venosta, head of the Italian mission to the conference, figured in two little incidents this evening, which shows Germany's desire to avoid a rupture with France, and the neutral powers' desire to maintain European peace. The count, who was chatting with a group of the ambassadors, remarked that he had been painted as a sort of devil throughout this Moroccan affair. One of the ladies replied that if the people could see him in his present amiable mood, it would remove such unfavorable impressions.

“Perhaps so,” answered the count, “but this legend has become so firmly fixed, that I fear history will picture me with horns.” Just after this Countess Tattenbach passed her autograph album, in which she was taking the signatures of the ambassadors, to Marquis Venosta, who leads in the efforts of the neutral powers to effect a reconciliation. He took the album and wrote in Latin the following: “Peace on earth to men of good will.” The marquis passed this to Count Tattenbach, who smiled grimly his approval. This glimpse behind the scenes gives the keynote to the present efforts to reconcile the Franco-German relations.

SEARCH ABANDONED. VICTORIA, Feb. 6.—The search for the victims of the Valencia has been abandoned. Ninety-three victims remain unaccounted for of the 129 drowned. ALLEGED MAIL ROBBER. The Winslow Mail says: Deputy U. S. Marshal Walter T. Gregory, of Phoenix, arrested Lee Gardner, a German's helper employed in the mail shops Thursday morning, on a charge of robbing the United States mail in 1904, while acting in the capacity of rural mail carrier in one of the western states. He was taken to Holbrook to appear before the United States court commissioner for preliminary examination.

THREE CENT FARES COMING. WASHINGTON, Feb. 6.—Representative Powers' bill providing for rate legislation in Arizona has caused quite a stir, and it seems probable that a stir, and it seems probable that the measure will be passed, in view of the fact that the joint statehood bill seems doomed to defeat or at least will be amended in a way that will accomplish that purpose. According to the measure it will be unlawful for any railroad in these territories to charge more than three cents per mile for passenger service. About 150 pounds of free baggage is to be allowed. The minimum passenger rate is fixed at ten cents for short distances.

RECEIVER APPOINTED FOR ARIZONA MINE

CINCINNATI, Feb. 6.—A receiver for the Blue Mountain Mining company of Arizona, Bernard Moeller, was named by United States Judge Thompson today. The suit filed by Frank and William Gerwin, who claimed \$38,000 worth of the \$2,000,000 capital stock. The company owns valuable mining property in Arizona, and Grant County, Oregon, the petition states, but at present is unable to pay its debts. The creditors in Oregon will sue on small claims, and compel the sacrifice of the mines, so the Gerwins decided to petition for a receiver.

JIU JITSU NOT IN FAVOR

WASHINGTON, Feb. 6.—Jiu jitsu will be abolished in the naval academy if Rear-Admiral Sands has his way. The testimony of Sands before the house committee on naval affairs, which has just been made public, shows that he thinks little of the style of wrestling popularized by the President's attitude toward it.

COMPANY ORGANIZED TO WORK SILVERMAN PROPERTIES

Articles of incorporation of the Eagle Mining company were recorded in the county recorder's office yesterday. The company was incorporated by local business men for the development of a group of claims known as the Silverman properties, which are situated about three miles east of this city. B. H. Smith is president, R. P. Talbot, vice-president, and A. J. Herndon, secretary and treasurer of the corporation, and Charles W. Herndon, attorney. The Silverman group consists of three claims, situated immediately west of and adjoining the Bullwhacker mine, near the 4-mile house, from which a large amount of very rich gold ore was mined in the early 80's. The ledge on one of the claims is opened by a shaft to about 35 feet, and by open cuts and other shallow workings. Some very rich ore has been taken out of these surface diggings, and the new company intends to commence development work in a thorough and minelike fashion as soon as the organization is completed, and the machinery placed upon the ground.

DEATH OF MRS. KELLER.

Mrs. Elizabeth Keller, aged 31 years, died at the hospital in this city at 10:30 last evening. Deceased was the wife of Laurence Keller of McCabe, and had resided in this section for a number of years. She was a charitable neighbor, a kind and loving wife, and mother, and her early demise is deeply regretted by all who enjoyed her acquaintance. Funeral arrangements will be announced later.